

REMARKS

Claims 7-13 are all the claims pending in the application. No amendments are made to the claims herein.

I. Response to Claim Rejections under 35 U.S.C. § 102(b) over Trapasso et al (U.S. Pat. No. 5,498,751)

Claims 7 and 10 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Trapasso et al.

In response to the arguments presented in the Amendment filed on January 20, 2004, that Trapasso et al does not teach all elements of the claimed composition, the Examiner states that the arguments are not found to be persuasive because Trapasso et al teaches a product suitable for optical lens coatings at column 1, line 23. Further, the Examiner states that the language recited in the preamble of the claim does not provide antecedent basis for the terms in the body of the claim and merely provides a statement of purpose or intended use.

Applicants respectfully traverse the rejection and submit that Trapasso et al does not disclose or teach a plastic lens composition that comprises a polyvalent carboxylic acid ester, which is trivalent or greater valent carboxylic acid ester and which has, within one molecule, two or more organic groups represented by formula (1) and an organic group represented by formula (2) wherein the polyvalent carboxylic acid ester is an ester of a polyvalent carboxylic acid selected from the group consisting of 1,3,5-benzenetricarboxylic acid, 1,2,4-benzenetricarboxylic acid, 1,2,3-propanetricarboxylic acid, 1,2,4,5-benzenetetracarboxylic acid and 1,2,3,4-butanetetracarboxylic acid as recited in claim 7 as amended on January 20, 2004.

Specifically, while Trapasso et al discloses benzenetricarboxylic acid in claim 64, Trapasso does not specifically disclose a 1,3,5-benzenetricarboxylic acid or other trivalent or greater carboxylic acid as recited in amended claim 7. Thus, Trapasso cannot be said to anticipate the claimed invention. The Examiner did not specifically address this element of the claimed invention in the Office Action dated April 1, 2004. Claim 10 is dependent upon claim 7 and would be distinguished for at least the same reasons.

Accordingly, Applicants respectfully request withdrawal of the rejection.

II. Response to Claim Rejections under 35 U.S.C. § 102(b) over Rosenquist (U.S. Pat. No. 4,701,516)

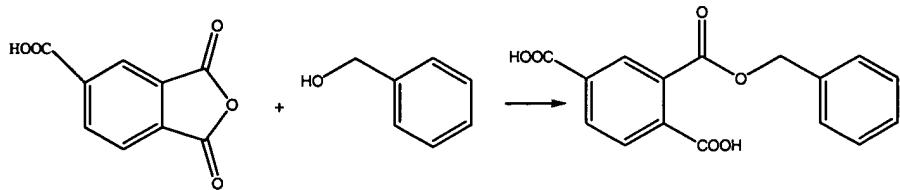
Claims 7 and 10-12 are rejected under 35 U.S.C. § 102(b) over Rosenquist et al as allegedly being anticipated.

In response to the arguments presented in the Amendment filed on January 20, 2004, that Rosenquist et al does not teach all elements of the claimed composition, the Examiner states that the arguments are not found to be persuasive because Rosenquist et al teaches a product suitable for optical lens coatings at column 1, line 23 and the language recited in the preamble of the claim does not provide antecedent basis for the terms in the body of the claim and merely provides a statement of purpose or intended use.

Applicants respectfully traverse the rejection.

It appears that the Examiner misunderstands the reference and the claimed invention. The Examiner states that Preparation 1 (not Example 1) discloses an ester of trimellitic anhydride and benzyl alcohol. This is true, but in the reaction, equimolar portions of trimellitic anhydride

and benzyl alcohol are reacted and the resulting product is a compound having two carboxyl groups as shown in the following reaction formula.



In Preparation 2, allyl alcohol, neopentyl alcohol, isopropyl alcohol, cyclohexanol or 4-tert-butylcyclohexanol is used in equimolar proportions instead of benzyl alcohol to produce a compound in which benzyl alcohol in the above reaction formula is replaced by the respective alcohols.

At column 1, line 30, Rosenquist discloses formula (I) and that the sum of a + b in formula (I) is 1. Col. 1, line 43. That is, in the compounds, there exists only one ester bond. Further, Rosenquist describes, at column 2, lines 18-33, formula (IIA) and (IIB) each of which clearly has two carboxyl groups. Therefore, it is clear that Rosenquist intend to use a compound having one ester group and two carboxyl groups, which is different from the claimed invention.

In Rosenquist, a diphenolic alcohol, such as bisphenol A, phosgene and a compound having one ester group and two carboxyl groups (e.g., a monoester of trimellitic acid) are reacted to obtain a polymer having carbonate structure units and ester structure units (Examples 2 to 14). Then, the polymer is added with an ester exchange catalyst and the transesterification of the ester groups is carried out at a temperature of 200 to 300°C for 5 to 30 minutes to cause a three-

dimensional network structure to be formed and thus cured (column 8, lines 3-29, and Example 15).

Contrarily, the present invention is directed to a compound having the groups of formulae (1) and (2) within one molecule, which is exemplified as a compound of the structural formulae (9) in the present specification, on page 14. The “curing” in the present invention is curing through polymerization of the double bonds from allyl groups by the use of a free-radical initiator. Therefore, the inventive concept is completely different between Rosenquist and the present invention. Claims 10-12 depend from claim 7 and are distinguished for at least the same reasons.

Further, the Examiner states that the viscosity used in the present invention is believed to be inherently the same as in Rosenquist since Rosenquist discloses essentially the same composition as the composition of the present invention. However, the compounds of the present invention are completely different from the compounds (polymers) of Rosenquist. Therefore, their viscosities cannot be compared on this basis. Thus, the Examiner has not met her burden of providing a rationale scientific basis for asserting that the viscosity recited in claim 10 is an inherent property.

In view of the above, the claimed invention is clearly different from Rosenquist and is not anticipated by Rosenquist. Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Response to Claim Rejections under 35 U.S.C. § 102(b) over Uchida et al (U.S. 5,218,067)

Claims 7-13 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Uchida et al (U.S. 5,218,067).

According to the Examiner, Uchida et al discloses an allyl ester oligomer composition having a viscosity of 200 to 50,000 cP at 30°C and a refractive index of 1.5 to 1.57 at 30°C, formed by mixing (a) a 20 to 90% by weight of an allyl ester oligomer, (b) 10 to 80% by weight of at least one polyvalent allyl ester monomer including triallyl trimellitate, i.e., a compound of instant claim 7, and (c) up to 40% by weight of at least one monofunctional polymerizable monomer. It is further disclosed that a percarbonate is used in an amount of 1 to 10 parts by weight per 100 parts by weight of the polymerizable composition and that an organic lens is preferably prepared by carrying out cast polymerization at 30 to 100°C, which is said to read on the limitations of claims 8, 9, 11 and 12. The initiator can be incorporated over a period of 16 hours which is said to read on the limitations of instant claim 13.

Applicants respectfully traverse the rejection. The Examiner states that triallyl trimellitate is a compound of present claim 7. However, claim 7 as amended does not include triallyl trimellitate, i.e., triallyl 1,2,4-benzenetricarboxylate, which is discussed in the present specification on page 2, lines 5-16. Further, Uchida et al does not disclose or teach a plastic lens composition that comprises a polyvalent carboxylic acid ester, which is trivalent or greater valent carboxylic acid ester and which has, within one molecule, two or more organic groups represented by formula (1) and an organic group represented by formula (2) wherein the

polyvalent carboxylic acid ester is an ester of a polyvalent carboxylic acid selected from the group consisting of 1,3,5-benzenetricarboxylic acid, 1,2,4-benzenetricarboxylic acid, 1,2,3-propanetricarboxylic acid, 1,2,4,5-benzenetetracarboxylic acid and 1,2,3,4-butanetetracarboxylic acid as recited in claim 7 as amended. The Examiner did not specifically address this element of the claimed invention. Claims 8-13 are dependent upon claim 7 and would be distinguished for at least the same reasons.

Accordingly, Applicants respectfully request withdrawal of the rejection.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Date: July 1, 2004